THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.12669 of 2007

Dated: 19.06.2007

Between:

P.V.Ramanaiah.

.... PETITIONER

AND

The V.C. & Managing Director, A.P.Schedule Caste Co-operative Finance Corporation Ltd., Hyderabad and others.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE N.V. RAMANA

Writ Petition No.12669 of 2007

ORDER

Assailing the proceedings dated 16.05.2007, passed by the 1st respondent, placing the petitioner, who is working as Assistant Engineer in the respondent-Corporation, under suspension, pending enquiry into certain irregularities, said to have been committed by him in the execution of FFWP/SGRY, the petitioner filed the present writ petition.

2. The main contention of the learned counsel for the petitioner is that subsequent to the first inspection, the respondent-Corporation, constituted another inspection team for inspection of FFP/SGRY works, and the report dated 26.05.2006 submitted by the said inspection team reveals that the rice was issued as per the MB recording, and therefore, there is no misappropriation on the part of the petitioner. He, thus prays to set aside the impugned order, and direct the respondents to take him into duty.

3. The law is well settled that suspension of an employee pending enquiry is not a punishment, but is made to ensure a free, fair and impartial enquiry. In the instant case, the respondent-Corporation, pending enquiry into the charge of committing irregularities in the execution of FFWP/SGRY and misuse of 1.665 MTs of rice worth Rs.9,407-25, causing loss to the exchequer, the

petitioner has been placed under suspension. Whether the petitioner committed the said irregularities or not, is a matter of enquiry, which can be decided only in enquiry. However, the petitioner is directed to submit his explanation to the impugned charge sheet-cum-suspension order, and if the petitioner submits his explanation, the respondents are directed to consider the same and conclude the enquiry within a period of four months from the date of receipt of a copy of this order.

4. With the above direction, the writ petition is disposed of. No costs.

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N.V. RAMANA, J.

Date: 19.06.2007
sj